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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,266	07/11/2003	Arto Suomi	944-001.113	3940
4955	7590	02/04/2005	EXAMINER	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			PHAN, TRI H	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/618,266	<b>Applicant(s)</b> SUOMI, ARTO	
	<b>Examiner</b> Tri H. Phan	<b>Art Unit</b> 2661	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment/Arguments*

1. This Office Action is in response to the communication(s) filed on July 11<sup>th</sup>, 2003.

Claims 1-10 are now pending in the application.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by **Josse et al.** (U.S.6,104,929).

- In regard to claim 1 and 5, **Josse** discloses about the *method for use by the user equipment device 'MS' enabled for communication with other telecommunication devices via the network including the radio access network and providing general packet radio service 'GPRS', the method for use by the UE device in responding to a message from the network indicating a change in a service access point identifier (SAPI; For example see Table 3) connection from an old SAPI to a new SAPI (For example see Figs. 1-2; col. 1, line 21 through col. 2, line 14), the method characterized by the step, responsive to an indication from the network of a change from the old SAPI to the new SAPI (Attach Request message; For example see Figs. 3-3A, 4-4A; col. 3, lines 24-40), of setting the timer for a period of time (timer; For example see col. 12, lines 35-*

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45); *and the step of terminating the old SAPI* (For example see col. 12, lines 45-46; col. 13, lines 17-20).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Suumäki et al.** (U.S.6,590,905).

- In regard to claims 1 and 5, **Suumäki** discloses in Figs. 1-12 and in the respective portions of the specification about the system and method for changing parameters and improving the XID parameter renegotiation, during the connection in both the General Packet Radio Service ‘*GPRS*’ and the proposed Universal Mobile Telecommunications System ‘*UMTS*’ (“*radio access network*”) for mobile telecommunication (For example see Figs 1A-B, 2A-B; Abstract; col. 1, lines 12-43), by changing indicator usage (“*indication for changing the SAPI connection*”; For example see Figs. 8-12; col. 3, lines 1-13; col. 5, line 63 through col. 6, line 38; wherein the address field such as “SAPI” in the PDP context is obvious for being used to identify the connection end point with its relative priority and QoS on the user/network side of the LLC interface of the GPRS during the handover or relocation) and, due to the XID/PDCP parameter

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request (“*responsive to the indicator for the change from old to new SAPI*”), setting the timing (“*setting the timer*”) when the new parameters are to take effect for use at the originator, e.g. the mobile station ‘MS’ (“*user equipment device or UE*”) or network side, and stopping the timer (“*terminating the old SAPI*”), during the handover or relocation (For example see Figs. 3-4, 8-12; col. 1, line 44 through col. 2, line 27; col. 6, lines 1-38).

- Regarding claims 2 and 6, **Suumäki** further discloses where the old XID/PDCP parameter values are continued to use until receiving the XID/PDCP negotiation response (“*compression for new SAPI*”) for stopping the timer (For example see Figs. 8-12; col. 5, line 63 through col. 7, line 45) and where the old and new parameters are used for incoming packets (“*keeping the old SAPI active and handling messages received on both old and new SAPI*”; For example see Figs. 8-12; col. 6, line 27-38; col. 9, lines 19-23) during the handover or relocation.

- In regard to claim 3, **Suumäki** does disclose about setting the fixed minimum time, e.g. timer, for the negotiation parameter (For example see col. 5, lines 59-62); but fails to explicitly disclose the timer period is set to “*approximately 15 seconds*”; however, it is obvious that setting the time period for the timer is depended from system to system and system engineering choice as matter of choices.

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to implement the setting timer period to “*approximately 15 seconds*” in **Suumäki**’s timer period, with the motivation being to provide timing when the new parameters are to take effect for use as system engineering matter of choices.

- Regarding claim 4, **Suumäki** does disclose about the method setting timer for changing or renegotiating parameters during handover or relocation as discussed above; but fails to explicitly disclose about the “*computer program code*”; however, translation such method to the “*computer program code*” as deemed to be obvious.

Thus it would have been obvious to the person of ordinary skill in the art at the time of the invention was made to having the method readily available to translate the method into program to provide the claimed invention, with motivation as to provide an automatic system to perform changing/negotiating parameters during handover or relocation with setting timer.

- In regard to claim 7, **Suumäki** further discloses about the telecommunication device and network including the radio access network and providing GPRS (For example see Figs 1A-B, 2A-B; Abstract; col. 1, lines 12-43), for negotiating parameter for use between the originator and receiver in the mobile telecommunications system (For example see Fig. 12; col. 7, line 46 through col. 8, line 11).

- Regarding to claims 8 and 9, **Suumäki** discloses in Figs. 1-12 and in the respective portions of the specification about the system and method for changing parameters and improving the XID parameter renegotiation, during the connection in both the General Packet Radio Service ‘*GPRS*’ and the proposed Universal Mobile Telecommunications System ‘*UMTS*’ (“*radio access network*”) for mobile telecommunication (For example see Figs 1A-B, 2A-B; Abstract; col. 1, lines 12-43), by changing indicator usage (“*changing in the SAPI connection*”;

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For example see Figs. 8-12; col. 3, lines 1-13; col. 5, line 63 through col. 6, line 38; wherein the address field such as “SAPI” in the PDP context is obvious for being used to identify the connection end point with its relative priority and QoS on the user/network side of the LLC interface of the GPRS during the handover or relocation); the originator, e.g. the mobile station ‘MS’ (“*user equipment device or UE*”) or network side, renegotiates for changing the XID/PDCP parameter (“*request to change to new SAPI*”) during the handover or relocation, removing old XID/PDCP parameters, providing new XID/PDCP parameters (“*removing the old compressions and providing the new compressions*”; For example see Figs. 3-4, 8-12; col. 1, line 44 through col. 2, line 27; col. 6, lines 1-38); where the old XID/PDCP parameter values are continued to use until receiving the XID/PDCP negotiation response (“*compression for new SAPI*”) for stopping the timer (For example see Figs. 8-12; col. 5, line 63 through col. 7, line 45) and where the old and new parameters are used for incoming packets (“*keeping the old SAPI active and handling messages received on both old and new SAPI*”; For example see Figs. 8-12; col. 6, line 27-38; col. 9, lines 19-23) during the handover or relocation.

- In regard to claim 10, **Suumäki** further discloses about the system, the telecommunication device and network including the radio access network and providing GPRS (For example see Figs 1A-B, 2A-B; Abstract; col. 1, lines 12-43), with means for negotiating parameter for use between the originator and receiver in the mobile telecommunications system (For example see Fig. 12; col. 7, line 46 through col. 8, line 11).

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Wang, Charles** (U.S.2004/0156331), **Hämäläinen** (U.S.6,434,133), **Hoff et al.** (U.S.2004/0053623), **Ylianttila et al.** ("Supporting Resource Allocation with Vertical Handoffs in Multiple Radio Network Environment", University of Oulu, Finland, Vol. 1 September 2002, IEEE, 0-7803-7589, pages 64-68; and "Optimization Scheme for Mobile Users Performing Vertical Handoffs between IEEE 802.11 and GPRS/EDGE networks", Oulu University Tutkijantie 2E, Finland, Vol. 6 November 2001, IEEE, 0-7803-7206, pages 3439-3443) are all cited to show devices and methods for improving the management connections in the GPRS network architectures, which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126.

**Any response to this action should be mailed to:**

**Commissioner of Patents and Trademarks**

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314**



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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office, whose telephone  
number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent  
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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan  
January 28, 2005



**BRIAN NGUYEN**  
**PRIMARY EXAMINER**